

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:23-cv-323-MR-WCM

TREY DAVIS,

Plaintiff,

vs.

MECKLENBURG COUNTY  
DETENTION CENTER, et al.,

Defendants.

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**ORDER**

**THIS MATTER** is before the Court *sua sponte*.

Plaintiff filed this action pursuant to 42 U.S.C. § 1983 while he was a pretrial detainee at the Mecklenburg County Detention Center. [Doc. 1].

On January 12, 2024, the Complaint passed initial review on claims of deliberate indifference and excessive force against Defendants FNU Talford and FNU Collins. [Doc. 10]. Plaintiff was instructed to complete and return to the Court two blank summons forms so that Defendants could be served. [Id.]. A copy of the January 12 Order and two blank summons forms were mailed to Plaintiff at his address of record that same day.

On January 22, 2024, the mail was returned to the Court as undeliverable. [Doc. 11].

On January 23, 2024, a Text-Only Notice was issued. That Notice advised Plaintiff that a failure by a pro se plaintiff to promptly notify the Clerk of any change of contact information may result in the dismissal of the pro se plaintiff's action. The Notice also directed Plaintiff to update his address within 14 days. [Jan. 23, 2024 Text-Only Notice].

On February 7, 2024, Plaintiff filed a Notice of Change of Address. [Doc. 12].

On February 8, 2024, another copy of the January 12 Order and two blank summons forms were mailed to Plaintiff's new address.

Plaintiff has not completed and returned the summons forms to the Court to date.

Plaintiff will be required to complete and return the blank summons forms, within 14 days of this Order, so that this action may proceed. Should he fail to comply, this case will be dismissed and closed without further notice.

**IT IS THEREFORE ORDERED** that Plaintiff shall fill out the summons forms and return them to the Court for service of process on Defendants Talford and Collins within **fourteen (14) days** of this Order.

Should Plaintiff fail to comply, this action will be dismissed and closed without further notice.

Signed: March 13, 2024

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

